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Douglas R. Peterson  
Douglas R. Peterson, Reg. No. 53,458

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/797,303  
Applicant : Gary Weller, Alex T. Roth, Christopher Julian, James Gannoe, Andrew H. Hancock, Craig Gerbi  
Filed : March 9, 2004  
Art Unit : 3734  
Examiner : Michael T. Andersen  
Title : DEVICES AND METHODS FOR PLACEMENT OF PARTITIONS WITHIN A HOLLOW BODY ORGAN  
  
Docket No.: : SATTY 69240  
Customer No. : 24201

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

The documents listed on the enclosed Form PTO/SB/08a have come to the attention of Applicants and are submitted to the Office under 37 C.F.R. § 1.97(c) (2). A copy of each of the listed foreign documents and articles is enclosed.

10/17/2006 WADDELR1 00000026 10797303  
01 FC:1806  
180.00 GP

The petition fee set forth in 37 C.F.R. § 1.17(p) of \$180 is enclosed. Please charge any deficiency in fees or credit any overpayment to our Deposit Account No. 06-2425. A duplicate copy of this letter is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By: Douglas R. Peterson  
Douglas R. Peterson  
Registration No. 53,458

Howard Hughes Center  
6060 Center Drive, Tenth Floor  
Los Angeles, CA 90045  
Telephone: (310) 824-5555  
Facsimile: (310) 824-9696  
Customer No. 24201  
142816.1



Information Disclosure Statement by Applicant (use as many sheets as necessary)				Complete if Known			
Sheet	1	of	20	Application Number	10/797,303		
				Filing Date	March 9, 2004		
				First Named Inventor	Weller et al.		
				Art Unit	3734		
				Examiner Name	Michael T. Andersen		
				Attorney Docket Number	SATTY-69240		
U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		Number	Kind Code <sup>3</sup> (if known)				
		2,108,206		02-15-1938	Meeker		
		2,508,690		07-13-1948	Schmerl		
		3,395,710		08-06-1968	Stratton et al.		
		3,986,493		10-19-1976	Hendren, III		
		4,057,065		11-08-1977	Thow		
		4,133,315		01-09-1997	Berman et al.		
		4,134,405		01-16-1979	Smit		
		4,198,982		04-22-2980	Fortner et al..		
		4,246,893		01-27-1981	Berson		
		4,315,509		02-16-1982	Smit		
		4,343,066		08-19-1982	Lance		
		4,416,267		11-22-1983	Garren et al.		
		4,458,681		07-10-1984	Hopkins		
		4,485,805		12-04-1984	Foster, Jr.		
		4,501,264		02-26-1985	Rockey		
		4,547,192		10-15-1985	Brodsky et al.		
		4,558,699		12-17-1985	Bashour		
		4,592,339		06-03-1986	Kuzmak et al.		
		4,592,354		06-03-1986	Rothfuss		
		4,598,699		07-08-1986	Garren et al.		
		4,607,618		08-26-1986	Angelchik		
FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>				
		WO	1994/18893	A1	09-01-1994	Fitton et al.	
		WO	1999/17662	A1	04-15-1999	Wilson-Cook Medical	
		WO	1999/53827	A1	10-28-1999	Mills et al.	
		WO	2000/32137	A1	06-08-2000	Dua et al.	
		WO	2000/48656	A1	08-24-2000	Boston Scientific Corp.	
		WO	2000/78227	A1	12-28-2000	Laufer et al.	
		WO	2000/78229	A1	12-28-2000	Laufer et al.	
		WO	2001/66018	A1	09-13-2001	C.R. Bard Inc.	
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		Number	Kind Code <sup>2</sup> (if known)					
		4,641,653		02-10-1987	Rockey			
		4,646,722		03-03-1987	Silverstein et al.			
		4,648,383		03-10-1987	Angelchik			
		4,694,827		09-22-1987	Weiner et al.			
		4,716,900		01-05-1988	Ravo et al.			
		4,723,547		02-09-1988	Kullas et al.			
		4,739,758		04-26-1988	Lai et al.			
		4,744,363		05-17-1988	Hasson			
		4,773,393		09-27-1988	Haber et al.			
		4,790,294		12-13-1988	Allred, III et al.			
		4,803,985		02-14-1989	Hill			
		4,841,888		06-27-1989	Mills et al.			
		4,899,747		02-13-1990	Garren et al.			
		4,905,693		03-06-1990	Ravo			
		4,925,446		05-15-1990	Garay et al.			
		4,927,428		05-22-1990	Richards			
		4,969,474		11-13-1990	Schwarz			
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		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
		WO	2001/67964	A2	09-20-2001	Medigus Ltd.		
		WO	2001/85034	A1	11-15-2001	Geitz		
		WO	2002/24080	A2	03-28-2002	Schurr et al.		
		WO	2002/35980	A2	05-10-2002	Satiety, Inc.		
		WO	2002/039880	A2	05-23-2002	McClellan et al.		
		WO	2002/071951	A1	09-19-2002	Alvarez		
		WO	2002/091961	A1	11-21-2002	Hashiba et al.		
		WO	2002/096327	A2	12-05-2002	Weller et al.		
		WO	2003/007796	A2	01-30-2003	Laufer et al.		
		WO	2003/017882	A2	03-06-2003	Synecor, LLC		
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		Number	Kind Code <sup>2</sup> (if known)				
		5,037,021		08-06-1991	Mills et al.		
		5,059,193		10-22-1991	Kuslich		
		5,080,663		01-14-1992	Mills et al.		
		5,084,061		01-28-1992	Gau et al.		
		5,112,310		05-12-1992	Grobe		
		5,129,915		07-14-1992	Cantens		
		5,156,609		10-20-1992	Nakao et al.		
		5,171,233		12-15-1992	Amplatz et al.		
		5,197,649		03-30-1993	Bessler et al.		
		5,220,928		06-22-1993	Oddsen et al.		
		5,222,961		06-29-1993	Nakao et al.		
		5,226,429		07-13-1993	Kuzmak		
		5,234,454		08-10-1993	Bangs		
		5,246,456		09-21-1993	Wilkinson		
		5,250,058		10-05-1993	Miller et al.		
		5,254,126		10-19-1993	Filipi et al.		
		5,259,366		11-09-1993	Reydel et al.		
		5,259,399		11-09-1993	Brown		
		5,261,920		11-16-1993	Main et al.		
		5,263,629		11-23-1993	Trumbull et al.		
		5,297,536		03-29-1994	Wilk		
		5,301,658		04-12-1994	Zhu et al.		
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Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>				
		WO	2003/078721	A2	09-25-2003	Sauer	
		WO	2003/086247	A1	10-23-2003	Stack et al.	
		WO	2003/088844	A1	10-30-2003	Zubik et al.	
		WO	2003/094785	A1	11-20-2003	Egan	
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		5,306,300		04-26-1994	Berry			
		5,309,896		05-10-1994	Moll et al.			
		5,309,927		05/10/1994	Welch			
		5,327,914		07-12-1994	Shlain			
		5,330,486		07-19-1994	Wilk			
		5,330,503		07-19-1994	Yoon			
		5,331,975		07-26-1994	Bonutti			
		5,334,209		08-02-1994	Yoon			
		5,334,210		08-02-1994	Gianturco			
		5,345,949		09-13-1994	Shlain			
		5,346,501		09-13-1994	Regula et al.			
		5,355,897		10-18-1994	Pietrafitta et al.			
		5,376,095		12-27-1994	Ortiz			
		5,382,231		01-17-1995	Shlain			
		5,403,312		04-04-1995	Yates et al.			
		5,411,508		05-02-1995	Bessler et al.			
		5,433,721		07-18-1995	Hooven et al.			
		5,437,291		08-01-1995	Pasricha et al.			
		5,449,368		09-12-1995	Kuzmak			
		5,452,837		09-26-1995	Williamson, IV et al.			
		5,458,131		10-17-1995	Wilk			
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		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
		WO	2004/009269	A2	01-29-2004	Craig et al.		
		WO	2004/014237	A1	02-19-2004	Gannoe et al.		
		WO	2004/017863	A2	03-04-2004	Bessler		
		WO	2004/019826	A1	03-11-2004	Cartledge et al.		
		WO	2004/037064	A2	05-06-2004	Satiety, Inc.		
		WO	2004/049911	A2	06-17-2004	Hickle		
		WO	2004/058102	A2	07-15-2004	Imran		
		WO	2004/060150	A1	07-22-2004	Smith et al.		
		WO	2004/087014	A2	10-14-2004	GI Dynamics, Inc.		
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		5,465,894		11-14-1995	Clark et al.		
		5,467,911		11-21-1995	Tsuruta et al.		
		5,486,183		01-23-1996	Middleman et al.		
		5,489,058		02-06-1996	Plyley et al.		
		5,503,635		04-02-1996	Sauer et al.		
		5,527,319		06-18-1996	Green et al.		
		5,535,935		07-16-1996	Vidal et al.		
		5,542,949		08-06-1996	Yoon		
		5,549,621		08-27-1996	Bessler et al.		
		5,555,898		09-17-1996	Suzuki et al.		
		5,558,665		09-24-1996	Kieturakis		
		5,577,654		11-26-1996	Bishop		
		5,578,044		11-26-1996	Gordon et al.		
		5,582,616		12-10-1996	Bolduc et al.		
		5,584,861		12-17-1996	Swain et al.		
		5,588,579		12-31-1996	Schnut et al.		
		5,601,604		02-11-1997	Vincent		
		5,603,443		02-18-1997	Clark et al.		
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		WO	2004/103189	A1	12-02-2004	Gambale et al.	
		WO	2005/023118	A1	03-17-2005	Garza Alvarez	
		WO	2005/037152	A1	04-28-2005	Stack et al.	
		WO	2005/058239	A2	06-30-2005	Saadat et al.	
		WO	2005/060882	A1	07-07-2005	Meade et al.	
		WO	2006/078781	A1	07-27-2006	Levine et al.	
		EP	0 137 878	A1	04-24-1985	Garren et al.	
		EP	0 174 843	A1	03-19-1986	Mills et al.	
		EP	0 246 999	A1	11-25-1987	Omkron Scientific Ltd.	
		EP	0 540 010	A2	05-05-1993	Bessler et al.	
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		Number	Kind Code <sup>3</sup> (if known)				
		5,624,381		04-29-1997	Kieturakis		
		5,626,588		05-06-1997	Sauer et al.		
		5,639,008		06-17-1997	Gallagher et al.		
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		5,651,769		07-29-1997	Waxman et al.		
		5,662,664		09-02-1997	Gordon et al.		
		5,662,667		09-02-1997	Knodel		
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		5,676,659		10-14-1997	McGurk		
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		5,735,848		04-07-1998	Yates et al.		
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		5,755,730		05-26-1998	Swain et al.		
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		5,782,844		07-21-1998	Yoon et al.		
		5,797,931		08-25-1998	Bito et al.		
		5,810,851		09-22-1998	Yoon		
		5,810,855		09-22-1998	Rayburn et al.		
<b>FOREIGN PATENT DOCUMENTS</b>						<b>T<sup>6</sup></b>	
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document		
		Office <sup>3</sup>	Number <sup>4</sup>			Kind <sup>5</sup> (if known)	
	JP	63277063	A	11-15-1988	Olympus Optical Co Ltd		
	JP	63279854		11-16-1988	Olympus Optical Co Ltd		
Examiner Signature					Date Considered		

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				Application Number		10/797,303	
				Filing Date		March 9, 2004	
				First Named Inventor		Weller et al.	
				Art Unit		3734	
				Examiner Name			
				Michael T. Andersen			
Sheet	7	of	20	Attorney Docket Number			
<b>U.S. PATENT DOCUMENTS</b>							
Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		Number	Kind Code <sup>2</sup> (if known)				
		5,810,882		09-22-1998	Bolduc et al.		
		5,816,471		10-06-1998	Plyley et al.		
		5,820,584		10-13-1998	Crabb		
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		5,927,284		07-27-1999	Borst et al.		
		5,928,264		07-27-1999	Sugarbaker et al.		
<b>FOREIGN PATENT DOCUMENTS</b>						<b>T<sup>6</sup></b>	
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document		
		Office <sup>3</sup>	Number <sup>4</sup>			Kind <sup>5</sup> (if known)	
		JP	63302863	A	12-09-1988	Olympus Optical Co Ltd	
		JP	01049572	A	02-27-1989	Olympus Optical Co Ltd	
		JP	04297219		10-21-1992	Norikazu Hattori	
Examiner Signature					Date Considered		

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				Filing Date		March 9, 2004		
				First Named Inventor		Weller et al.		
				Art Unit		3734		
				Examiner Name		Michael T. Andersen		
Sheet	8	of	20	Attorney Docket Number		SATTY-69240		
<b>U.S. PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		Number	Kind Code <sup>2</sup> (if known)					
		5,935,107		08-10-1999	Taylor et al.			
		5,938,669		08-17-1999	Klaiber et al.			
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<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
Examiner Signature						Date Considered		

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				First Named Inventor		Weller et al.	
				Art Unit		3734	
				Examiner Name		Michael T. Andersen	
Sheet	9	of	20	Attorney Docket Number			
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Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		Number	Kind Code <sup>2</sup> (if known)				
		6,159,146		12-12-2000	El Gazayerli		
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<b>FOREIGN PATENT DOCUMENTS</b>						<b>T<sup>6</sup></b>	
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY		Name of Patentee or Applicant of Cited Document
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				First Named Inventor	Weller et al.			
				Art Unit	3734			
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		Number	Kind Code <sup>2</sup> (if known)					
		6,358,197 B1		03-19-2002	Silverman et al.			
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		6,626,899		09-30-2003	Houser et al.			
		6,632,227 B2		10-14-2003	Adams			
		6,663,598 B1		12-16-2003	Carrillo, Jr. et al.			
<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
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Sheet	11	of	20	Attorney Docket Number			
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		Number	Kind Code <sup>3</sup> (if known)				
		6,663,639 B1		12-16-2003	Laufer et al.		
		6,663,640 B2		12-16-2003	Kortenbach		
		6,675,809 B2		01-13-2004	Stack et al.		
		6,682,520 B2		01-27-2004	Ingenito		
		6,689,062 B1		02-10-2004	Mesallum		
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		6,716,222 B2		04-06-2004	McAlister et al.		
		6,733,512 B2		05-11-2004	McGhan		
		6,736,822 B2		05-18-2004	McClellan et al.		
		6,740,098 B2		05-25-2004	Abrams et al.		
		6,740,121 B2		05-25-2004	Geitz		
		6,746,489 B2		06-08-2004	Dua et al.		
		6,754,536 B2		06-22-2004	Swoyer et al.		
		6,755,849 B1		06-29-2004	Gowda et al.		
		6,755,869 B2		06-29-2004	Geitz		
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		6,790,214 B2		09-14-2004	Kraemer et al.		
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		6,835,199 B2		12-28-2004	McGuckin, Jr. et al.		
<b>FOREIGN PATENT DOCUMENTS</b>						T <sup>6</sup>	
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		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)			
Examiner Signature					Date Considered		

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Substitute for form 1449A/PTO				<b>Complete if Known</b>			
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number	10/797,303		
Sheet	13	of	20	Filing Date	March 9, 2004		
				First Named Inventor	Weller et al.		
				Art Unit	3734		
				Examiner Name	Michael T. Andersen		
				Attorney Docket Number	SATTY-69240		
<b>U.S. PATENT DOCUMENTS</b>							
Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		Number	Kind Code <sup>2</sup> (if known)				
		2001/0014800 A1		08-16-2001	Frazier et al.		
		2001/0020190 A1		09-06-2001	Taylor		
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Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>				
Examiner Signature					Date Considered		

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				Filing Date	March 9, 2004			
				First Named Inventor	Weller et al.			
				Art Unit	3734			
				Examiner Name	Michael T. Andersen			
Sheet	14	of	20	Attorney Docket Number	SATTY-69240			
<b>U.S. PATENT DOCUMENTS</b>								
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		Number	Kind Code <sup>2</sup> (if known)					
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<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
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				Application Number		10/797,303		
				Filing Date		March 9, 2004		
				First Named Inventor		Weller et al.		
				Art Unit		3734		
				Examiner Name		Michael T. Andersen		
Sheet	15	of	20	Attorney Docket Number		SATTY-69240		
<b>U.S. PATENT DOCUMENTS</b>								
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		Number	Kind Code <sup>3</sup> (if known)					
		2004/0122473 A1		06-24-2004	Ewers et al.			
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<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
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Substitute for form 1449B/PTO			Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)			Application Number	10/797,303
			Filing Date	March 9, 2004
			First Named Inventor	Weller et al.
			Group Art Unit	3734
			Examiner Name	Michael T. Andersen
Sheet	18	of	20	Attorney Docket Number
OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No <sup>1</sup> .	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.		
		Benjamin, S.B., et al., <i>A Double-Blind Cross Over Study of the Garren-Edwards anti-Obesity Bubblem</i> Abstract Submitted to A/S/G/E 1987, Georgetown University Hospital and Fairfax Hospital, Washington, D.C. and Fairfax, VA		
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		Chang, Craig G. M.D. <sup>1</sup> , et al. <i>Gastro-Clip® Gastroplasty: A Very Long-Term Complication</i> , <i>Obesity Surgery</i> , 14, © FD-Communications Inc.. 2004		
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		Endo Gia* Universal, Single UseStapler and Endo GIA Roticulator*, Brochure, 8 pages, Undated		
Examiner Signature		Date Considered		

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				Filing Date	March 9, 2004
				First Named Inventor	Weller et al.
				Group Art Unit	3734
				Examiner Name	Michael T. Andersen
Sheet	19	of	20	Attorney Docket Number	SATTY-69240

## OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No <sup>1</sup> .	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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		Application Number	10/797,303
		Filing Date	March 9, 2004
		First Named Inventor	Weller et al.
		Group Art Unit	3734
Examiner Name	Michael T. Andersen		
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<b>OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials*	Cite No <sup>1</sup> .	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	
		Stoltenberg, P.H., et al., <i>Intragastric Balloon Therapy of Obesity: A Randomized Double-Blind Trial</i> , Abstracts of Papers 1985, Scott & White Clinic, Texas A&M College of Medicine, Temple, Texas	
		Swain, C. Paul, M.D. et al., <i>An Endoscopic Sewing Machine</i> , <i>Gastrointestinal Endoscopy</i> , Vol. 32, No. 1 pp 36-38 1986	
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